

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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INTEROCEAN COAL SALES, LDC,

Plaintiff,

- against -

EVONIK TRADING GmbH, et al.,

Defendants.  
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11 Civ. 0940 (NRB)

**STIPULATION**

WHEREAS on February 14, 2011, Plaintiff Interocean Coal Sales, LDC ("Plaintiff")  
filed its Complaint in this matter.

WHEREAS on March 29, 2011, Defendant Evonik Industries AG ("Evonik Industries"),  
filed a Motion to Dismiss the Complaint.

WHEREAS on March 30, 2011, Defendant Evonik Degussa Corporation ("Evonik  
Degussa") filed a Motion to Dismiss the Complaint.

WHEREAS Plaintiff's time to respond to Defendants Evonik Degussa and Evonik  
Industries' Motions to Dismiss runs on April 11, 2011.


NOW THEREFORE, Plaintiff, Evonik Degussa and Evonik Industries, through their  
undersigned counsel, hereby stipulate and agree as follows:

1. Evonik Industries and Evonik Degussa have consented to Plaintiff's request to  
extend its time to respond to their Motions to Dismiss by twenty-one (21) days, up to and  
including Monday, May 2, 2011.

2. There have been no previous requests for adjournment or extension of time for  
Plaintiff to respond to the aforementioned Motions to Dismiss.

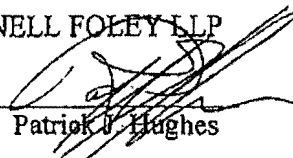
Dated: April 11, 2011  
New York, New York

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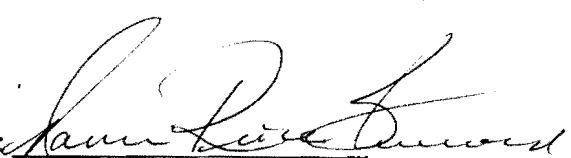
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So Ordered: 

U.S.D.J. 